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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,955	12/06/2004	Bernd Gromoll	1454.1586	8626
21171	7590	01/04/2008	EXAMINER	
STAAS & HALSEY LLP			SCHEUERMANN, DAVID W	
SUITE 700				
1201 NEW YORK AVENUE, N.W.			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20005			2834	
			MAIL DATE	DELIVERY MODE
			01/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

TH

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/516,955

Applicant(s)

GROMOLL ET AL.

Examiner

David W. Scheuermann

Art Unit

2834

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED ~~09 August 2007~~ <sup>29 Nov 2007</sup> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a)  The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a)  They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b)  They raise the issue of new matter (see NOTE below);  
 (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d)  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 12-21.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

AFFIDAVIT OR OTHER EVIDENCE

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 7

13.  Other: \_\_\_\_\_.

KARL J. V. MAI  
PRIMARY EXAMINER

**Continuation Sheet (PTO-303)**

Continuation of 3. NOTE: The limitation of, "a condenser area with," "being thermally coupled to the cold surface of said refrigeration unit in said condense area," and being thermally conductively connected over a large area to the stator parts to be cooled," and "and being flowing by natural convection without mechanically pumping" raise new issues which require further search and/or consideration.

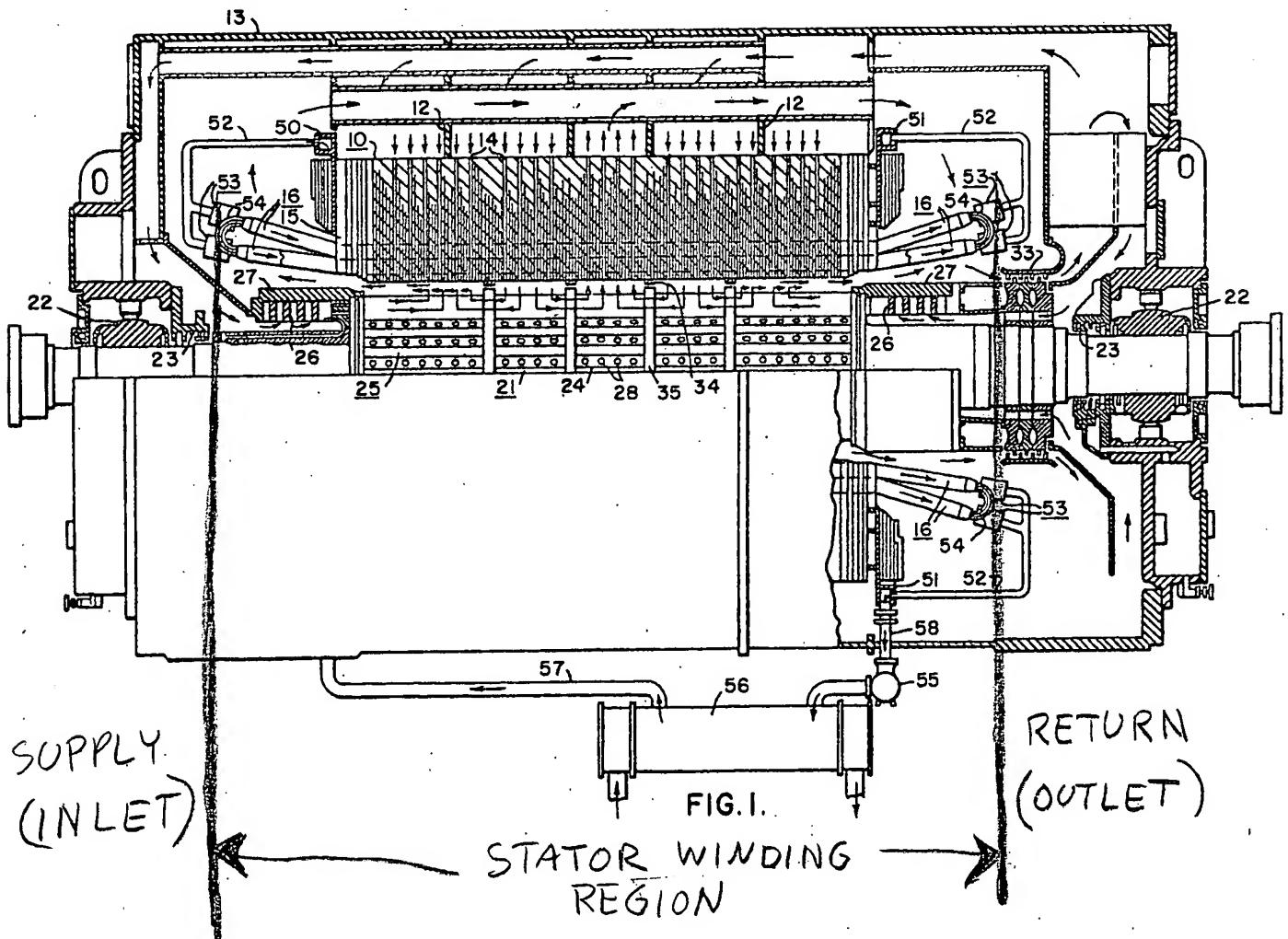
Applicant asserts that, "the statement that Philofsky, US 3271600 shows connectors 53 and each end of half coil 16" is incorrect. The Examiner disagrees with this assertion because the paragraph bridging column 3 and 4 of Philofsky, US 3271600 reads as follows:

In accordance with the present invention, the stator winding is cooled by a closed recirculating system for circulating coolant fluid through the ducts 18 of the stator coils. As shown in FIGURE 1, such a stator cooling system may include an intake manifold 50 at one end of the stator core 10 and a discharge manifold 51 at the opposite end. These manifolds may be annular passages extending circumferentially around the core and mounted at the ends of the core in any suitable manner. **The intake manifold 50 is connected by a plurality of insulating tubes 52 to the end of each half coil 16 of the winding, the tubes 52 being connected by suitable connectors 53 to the ducts 18 of the coil.** At the opposite end, similar connectors 53 connect the ducts 18 to insulating pipes 52 which are connected to the discharge manifold 51. The ducts 18 extend out of the coils at each end, and the end turn portions of the

conductor strands 17 of each half coil are connected to another half coil in the usual manner, as indicated at 54, (emphasis added.)

Thus, the cooling fluid inherently follows along the length of the stator and since the fluid connection points is at the ends of the stator windings which lie within the stator thus reading on the limitation of "a coolant supply line and a coolant return line at axial ends of the stator winding." Furthermore note figure 2 which shows cooling duct 18 with stator half coil 16.

Note figure 1 of Philofsky, US 3271600 as shown below:



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Applicants additional remarks are addressed to new limitations in the claims, which cannot be entered at this time because they raise new issues and/or require further search and consideration as set forth *supra* and therefor will not be addressed at this time.

DB

Karl Tamai  
PRIMARY EXAMINER